



2003 Child Abuse and Neglect State Statute Series Statutes-at-a-Glance Mandatory Reporters of Child Abuse and Neglect

What You Need to Know

Each State and U.S. Territory designates individuals, typically by professional group, who are mandated by law to report child maltreatment. Any person, however, may report incidents of abuse or neglect.

Individuals Typically Mandated to Report

Individuals typically designated as mandatory reporters have frequent contact with children. Such individuals include:

- Health care workers
- School personnel
- Child care providers
- Social workers
- Law enforcement officers
- Mental health professionals

Some States also mandate animal control officers, veterinarians, commercial film or photograph processors, substance abuse counselors, and firefighters to report abuse or neglect. Four States—Alaska, Arkansas, Connecticut, and South Dakota—include domestic violence workers on the list of mandated reporters. Approximately¹ 18 States require all citizens to report suspected abuse or neglect regardless of profession.

Standard for Making a Report

Typically a report must be made when the reporter suspects or has reasons to suspect that a child has been abused or neglected.



The Clearinghouses are services of the Children's Bureau, Administration for Children and Families, U.S. Department of Health and Human Services.

¹ The word approximately is used to stress the fact that statutes are constantly being revised and updated.

Privileged Communications

Approximately 34 States and Territories specify in their reporting laws when a communication is privileged.² Privileged communications, which is the statutory recognition of the right to maintain the confidentiality of communications between professionals and their clients or patients, are exempt from mandatory reporting laws. The privilege most widely recognized by the States is that of attorney-client. The privilege pertaining to clergy-penitent also is frequently recognized, but limited to situations in which a clergy person becomes aware of child abuse through confessions or in the capacity of spiritual advisor. However, five States, New Hampshire, North Carolina, Rhode Island, Texas, and West Virginia, deny the clergy-penitent privilege. Very few States recognize the physician-patient and Mental health professional-patient privileges as exempt from mandatory reporting laws.

The Statutes-at-a-Glance listings summarize specific sections of each State's code. While every attempt has been made to be as complete as possible, additional information on these topics may be in other sections of a State's code as well as in agency regulations, case law, and informal practices and procedures. Readers interested in interpretation of specific statutory provisions within an individual jurisdiction should consult with professionals within the State familiar with the statutes' implementation.

To obtain additional copies of this product or for more information, contact:

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We welcome your comments and suggestions about this product.

² Privileged communications may be addressed in other sections of State law, typically in rules of evidence of civil procedure.

Alabama

Statute: § 26-14-3(a); § 26-14-10

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

Any other person called upon to give aid or assistance to any child

Standard:

Known or suspected

Privileged Communications:

Attorney/client

Alaska

Statute: § 47.17.020(a); § 47.17.023; § 47.17.060

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Paid employees of domestic violence and sexual assault programs and drug and alcohol treatment facilities
- Members of a child fatality review team or multidisciplinary child protection team
- Commercial or private film or photograph processors

Standard:

Have reasonable cause to suspect

Privileged Communications:

Not granted in statutes reviewed

American Samoa

Statute: § 45.2002

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals

Others:

- Medical examiner or coroner
- Christian Science practitioner

Standard:

- Have reasonable cause to know or suspect
- Have observed conditions which would reasonably result

Privileged Communications:

Not addressed in statutes reviewed

Arizona

Statute: § 13-3620(A); § 8-805(B)-(C)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Parents
- Anyone responsible for care or treatment of children
- Clergy/Christian Science practitioners
- Domestic violence victim advocates

Standard:

Have reasonable grounds to believe

Privileged Communications:

- Clergy/penitent
 - Attorney/client
-

Arkansas

Statute: § 12-12-507(b)-(c); § 12-12-518(b)(1)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Prosecutors
 - Judges
 - Department of Human Services employees
 - Domestic violence shelter employees and volunteers
 - Foster parents
 - Court Appointed Special Advocates
 - Clergy/Christian Science practitioners
-

Standard:

- Have reasonable cause to suspect
- Have observed conditions which would reasonably result

Privileged Communications:

- Clergy/penitent
 - Attorney/client
-

California

Statute: Penal Code § 11166(a), (c); § 11165.7(a)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Firefighters
- Animal control officers
- Commercial film and photographic print processors
- Clergy
- Court Appointed Special Advocates

Standard:

- Have knowledge of or observe
- Know or reasonably suspect

Privileged Communications:

Clergy/penitent

Colorado

Statute: § 19-3-304(1), (2), (2.5); § 19-3-311

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Christian Science practitioners
 - Veterinarians
 - Firefighters
 - Victim advocates
 - Commercial film and photographic print processors
 - Clergy
-

Standard:

- Have reasonable cause to know or suspect
- Have observed conditions which would reasonably result

Privileged Communications:

Clergy/penitent

Connecticut

Statute: § 17a-101(b); § 17a-101a

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Substance abuse counselors
- Sexual assault counselors
- Battered women's counselors
- Clergy
- Child advocates

Standard:

Have reasonable cause to suspect or believe

Privileged Communications:

Not addressed in statutes reviewed

Delaware

Statute: Tit. 16 § 903; § 909

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- All persons

Others:

Not addressed in statutes reviewed

Standard:

Know or in good faith suspect

Privileged Communications:

- Attorney/client
 - Clergy/penitent
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District of Columbia

Statute: § 4-1321.02(a), (b), (d); § 4-1321.05

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

Not addressed in statutes reviewed

Standard:

Know or have reasonable cause to suspect

Privileged Communications:

Not granted in statutes reviewed

Florida

Statute: § 39.201(1); § 39.204

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals
- All persons

Others:

- Judges
- Religious healers

Standard:

Know or have reasonable cause to suspect

Privileged Communications:

Attorney/client

Georgia

Statute: § 19-7-5(c)(1), (g); § 16-12-100(c)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

Persons who produce visual or printed matter

Standard:

Have reasonable cause to believe

Privileged Communications:

Not granted in statutes reviewed

Guam

Statute: Tit. 19, § 13201

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Christian Science practitioners
- Commercial film and photographic print processors

Standard:

- Have reason to suspect
- Have knowledge or observe

Privileged Communications:

Not granted in statutes reviewed

Hawaii

Statute: § 350-1.1(a); § 350-5

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

Employees of recreational or sports activities

Standard:

Have reason to believe

Privileged Communications:

Not granted in statutes reviewed

Idaho

Statute: § 16-1619(a), (c); § 16-1620

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals
- All persons

Others:

Not addressed in statutes reviewed

Standard:

Have reason to believe

Have observed conditions which would reasonably result

Privileged Communications:

Clergy/penitent

Attorney/client

Illinois

Statute: 325 ILCS § 5/4

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Homemakers
- Substance abuse treatment personnel
- Christian Science practitioners
- Funeral home directors
- Commercial film and photographic print processors
- Clergy

Standard:

Have reasonable cause to believe

Privileged Communications:

Clergy/penitent

Indiana

Statute: § 31-33-5-1; § 31-33-5-2; § 31-32-11-1

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals
- All persons

Others:

Staff member of any public or private institution, school, facility, or agency

Standard:

Have reason to believe

Privileged Communications:

Not granted in statutes reviewed

Iowa

Statute: § 232.69(1)(a)-(b); § 728.14(1); § 232.74

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Commercial film and photographic print processors
- Employees of substance abuse programs
- Coaches

Standard:

Reasonably believe

Privileged Communications:

Not granted in statutes reviewed

Kansas

Statute: § 38-1522(a), (b)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Firefighters
- Juvenile intake and assessment workers

Standard:

Have reason to suspect

Privileged Communications:

Not addressed in statutes reviewed

Kentucky

Statute: § 620.030(1), (2); § 620.050(3)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals
- All persons

Others:

Not addressed in statutes reviewed

Standard:

Know or have reasonable cause to believe

Privileged Communications:

- Attorney/client
 - Clergy/penitent
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Louisiana

Statute: Ch. Code art. § 603(13); § 609(A)(1); § 610(F)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Commercial film or photographic print processors
- Mediators

Standard:

Have cause to believe

Privileged Communications:

Clergy, Christian Science practitioner/penitent

Maine

Statute: Tit. 22, § 4011-A(1); § 4015

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Guardians *ad litem* and Court Appointed Special Advocates
- Fire inspectors
- Commercial film processors
- Homemakers
- Humane agents
- Clergy

Standard:

Know or have reasonable cause to suspect

Privileged Communications:

Clergy/penitent

Maryland

Statute: Family Law § 5-704(a); § 5-705(a)(1)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals
- All persons

Others:

Not addressed in statutes reviewed

Standard:

Have reason to believe

Privileged Communications:

- Attorney/client
- Clergy/penitent

Massachusetts

Statute: Ch. 119, § 51A; § 51B

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Drug and alcoholism counselors
- Probation and parole officers
- Clerks/magistrates of district courts
- Firefighters
- Clergy/Christian Science practitioners

Standard:

Have reasonable cause to believe

Privileged Communications:

Clergy/penitent

Michigan

Statute: § 722.623 (1), (8); § 722.631

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

Clergy

Standard:

Have reasonable cause to suspect

Privileged Communications:

- Attorney/client
- Clergy/penitent

Minnesota

Statute: § 626.556 Subd. 3(a), 8

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

Not addressed in statutes reviewed

Standard:

Know or have reason to believe

Privileged Communications:

Clergy/penitent

Mississippi

Statute: § 43-21-353(1)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals
- All persons

Others:

- Attorneys
- Ministers

Standard:

Have reasonable cause to suspect

Privileged Communications:

Not addressed in statutes reviewed

Missouri

Statute: § 210.115(1); § 568.110; § 210.140

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Persons with responsibility for care of children
- Christian Science practitioners
- Probation/parole officers
- Commercial film processors
- Internet service providers
- Clergy

Standard:

Have reasonable cause to suspect
Have observed conditions which would reasonably result

Privileged Communications:

- Attorney/client
 - Clergy/penitent
-

Montana

Statute: § 41-3-201(1)-(2), (4)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Guardians *ad litem*
- Clergy
- Religious healers
- Christian Science practitioners

Standard:

Know or have reasonable cause to suspect

Privileged Communications:

Clergy/penitent

Nebraska

Statute: § 28-711(1); § 28-714

Professions That Must Report:

- Health care professionals
- Social work professionals
- Education/child care professionals
- All persons

Others:

Not addressed in statutes reviewed

Standard:

- Have reasonable cause to believe
- Have observed conditions which would reasonably result

Privileged Communications:

Not granted in statutes reviewed

Nevada

Statute: § 432B.220(3), (5); § 432B.250

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Religious healers
- Alcohol/drug abuse counselors
- Clergy/Christian Science practitioners
- Probation officers
- Attorneys
- Youth shelter workers

Standard:

Know or have reason to believe

Privileged Communications:

- Clergy/penitent
 - Attorney/client
-

New Hampshire

Statute: § 169-C:29; § 169-C:32

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals
- All persons

Others:

- Christian Science practitioners
- Clergy

Standard:

Have reason to suspect

Privileged Communications:

- Attorney/client
 - *Clergy/penitent privilege denied*
-

New Jersey

Statute: § 9:6-8.10

Professions That Must Report:

All persons

Others:

Not addressed in statutes reviewed

Standard:

Have reasonable cause to believe

Privileged Communications:

Not addressed in statutes reviewed

New Mexico

Statute: § 32A-4-3(A); § 32A-4-5(A)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals
- All persons

Others:

- Judges
- Clergy

Standard:

Know or have reasonable suspicion

Privileged Communications:

Clergy/penitent

New York

Statute: Soc. Serv. Law § 413(1)

Professions That Must Report:

- Health care professionals
 - Mental health professionals
 - Social work professionals
 - Education/child care professionals
 - Law enforcement professionals
-

Others:

- Alcoholism/substance abuse counselors
- District attorneys
- Christian Science practitioners

Standard:

Have reasonable cause to suspect

Privileged Communications:

Not addressed in statutes reviewed

North Carolina

Statute: § 7B-301; § 7B-310

Professions That Must Report:

All persons

Others:

Any institution

Standard:

Have cause to suspect

Privileged Communications:

- Attorney/client
 - *Clergy/penitent privilege denied*
-

North Dakota

Statute: § 50-25.1-03; § 50-25.1-10

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Clergy
- Religious healers
- Addiction counselors

Standard:

Have knowledge of or reasonable cause to suspect

Privileged Communications:

- Clergy/penitent
 - Attorney/client
-

Northern Mariana Islands

Statute: Tit. 6, § 5313(a); § 5316

Professions That Must Report:

- Health care professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Medical examiners/coroners
- Religious healers

Standard:

Know or have reasonable cause to suspect

Privileged Communications:

Attorney/client

Ohio

Statute: § 2151.421(A)(1), (A)(2), (G)(1)(b)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals

Others:

- Attorneys
- Religious healers
- Agents of humane societies

Standard:

Know or suspect

Privileged Communications:

- Attorney/client
 - Physician/patient
-

Oklahoma

Statute: Tit. 10, § 7103(A)(1); § 7104; § 7113

Professions That Must Report:

- Health care professionals
- Education/child care professionals
- All persons

Others:

Commercial film and photographic print processors

Standard:

Have reason to believe

Privileged Communications:Not granted in statutes reviewed

Oregon**Statute:** § 419B.005(3); § 419B.010(1)**Professions That Must Report:**

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Attorneys
- Clergy
- Firefighters
- Court Appointed Special Advocates

Standard:

Have reasonable cause to believe

Privileged Communications:

- Mental health/patient
 - Clergy/penitent
 - Attorney/client
-

Pennsylvania**Statute:** 23 Pa. § 6311(a), (b)**Professions That Must Report:**

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Funeral directors
- Christian Science practitioners
- Clergy

Standard:

Have reasonable cause to suspect

Privileged Communications:Clergy/penitent

Puerto Rico

Statute: Tit. 8, § 441a; § 441b

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals
- All persons

Others:

- Professionals or public officials
- Processors of film or photographs

Standard:

- Should know or have knowledge of
- Suspects
- Observes

Privileged Communications:

Not addressed in statutes reviewed

Rhode Island

Statute: § 40-11-3(a); § 40-11-6(a); § 40-11-11

Professions That Must Report:

- Health care professionals
- All persons

Others:

Not addressed in statutes reviewed

Standard:

Have reasonable cause to know or suspect

Privileged Communications:

- Attorney/client
 - *Clergy/penitent privilege denied*
-

South Carolina

Statute: § 20-7-510(A); § 20-7-550

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Judges
- Funeral home directors and employees
- Christian Science practitioners
- Film processors
- Religious healers
- Substance abuse treatment staff
- Computer technicians

Standard:

Have reason to believe

Privileged Communications:

- Attorney/client
 - Clergy/penitent
-

South Dakota

Statute: § 26-8A-3; § 26-8A-15

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Chemical dependency counselors
- Religious healers
- Parole or court services officers
- Employees of domestic abuse shelters

Standard:

Have reasonable cause to suspect

Privileged Communications:

Not granted in statutes reviewed

Tennessee

Statute: § 37-1-403(a); § 37-1-605(a); § 37-1-411

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals
- All persons

Others:

- Judges
- Neighbors
- Relatives
- Friends
- Religious healers

Standard:

- Knowledge of/reasonably know
- Have reasonable cause to suspect

Privileged Communications:

Not granted in statutes reviewed

Texas

Statute: Family Code § 261.101(a)-(c); § 261.102

Professions That Must Report:

- Health care professionals
- Education/child care professionals
- All persons

Others:

- Juvenile probation or detention officers
- Employees or clinics that provide reproductive services

Standard:

Have cause to believe

Privileged Communications:

Clergy/penitent privilege denied

Utah

Statute: § 62A-4a-403(1)-(3); § 62A-4a-412(5)

Professions That Must Report:

- Health care professionals
- All persons

Others:

Not addressed in statutes reviewed

Standard:

- Have reason to believe
- Have observed conditions which would reasonably result

Privileged Communications:

Clergy/penitent

Vermont

Statute: Tit. 33, § 4913(a), (f)-(h)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Camp administrators and counselors
- Probation officers
- Clergy

Standard:

Have reasonable cause to believe

Privileged Communications:

Clergy/penitent

Virgin Islands

Statute: Tit. 5, § 2533(a); § 2538

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

Not addressed in statutes reviewed

Standard:

- Have reasonable cause to suspect
- Observe conditions which would reasonably result

Privileged Communications:

Attorney/client

Virginia

Statute: § 63.2-1509(A); § 63.2-1519

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Mediators
- Christian Science practitioners
- Probation officers
- Court Appointed Special Advocates

Standard:

Have reason to suspect

Privileged Communications:

Not granted in statutes reviewed

Washington

Statute: § 26.44.030 (1), (2); § 26.44.060(3)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Any adult with whom a child resides
- Responsible living skills program staff

Standard:

Have reasonable cause to believe

Privileged Communications:

Not granted in statutes reviewed

West Virginia

Statute: § 49-6A-2; § 49-6A-7

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Clergy
- Religious healers
- Judges, family law masters or magistrates
- Christian Science practitioners

Standard:

- Reasonable cause to suspect
- When believe
- Have observed

Privileged Communications:

- Attorney/client
 - *Clergy/penitent privilege denied*
-

Wisconsin

Statute: § 48.981(2), (2m)(c)-(e)

Professions That Must Report:

- Health care professionals
- Mental health professionals
- Social work professionals
- Education/child care professionals
- Law enforcement professionals

Others:

- Alcohol or drug abuse counselors
- Mediators
- Financial and employment planners
- Court Appointed Special Advocates

Standard:

- Have reasonable cause to suspect
- Have reason to believe

Privileged Communications:

Not addressed in statutes reviewed

Wyoming

Statute: § 14-3-205(a); § 14-3-210

Professions That Must Report:

All persons

Others:

Not addressed in statutes reviewed

Standard:

- Know or have reasonable cause to believe or suspect
- Have observed conditions which would reasonably result

Privileged Communications:

- Attorney/client
 - Physician/patient
 - Clergy/penitent
-